

## **Sec. 13-112. Operation of OHRV's**

No person shall operate an OHRV, as defined by NH RSA 215-A:1, in or on any street, lane, bridge, alley, sidewalk or other public place in the city except as provided below:

In addition to the public trails at Jericho Mountain State Park, the following is an authorized municipal public OHRV trail within the City of Berlin:

OHRV Connector Trail - This authorized municipal trail runs where marked from the Jericho Mountain State Park to Route 110 and follows Route 110 southeasterly as it changes from Jericho Road to Wight Street and finally to Third Avenue. The trail continues to follow Third Avenue to Mannering Street and follows Mannering Street to Second Avenue to Hillside Avenue. The trail follows Hillside Avenue, for a short distance to just southwest of 4 Hillside Avenue (Valley Creek Eatery, Map 119, Parcel 261) where the trail crosses into the Dead River Park Dead River Park or alternatively, to York Street (determined by how the trail is actually marked and signed) where it continues easterly to Cole Street. In the park the trail follows southeasterly to the southeast end of the Dead River Park. The trail then turns left onto Cole Street and follows a northeasterly direction to Mason Street where it follows Mason Street southeasterly to East Mason Street where it continues southeasterly to Hutchins Street where it follows Hutchins Street northeasterly to Success Pond Road where it follows Success Pond Road to the Berlin/Success line. This authorized municipal trail includes the section of East Mason Street from the RR tracks east of Hutchins Street to Hutchins Street. (Ord. 9-20-2010) (Ord. 4-02-2012)

In places where the Connector Trail authorized above follows City streets, the trail is so designated with, OHRV signage and markings, which must be obeyed by the OHRV operator.

The OHRV Connector Trail shall not be open and usable until it is properly marked and signed as determined by the Police Chief.

OHRV users in the City must abide by all State and City laws when on designated trails on City streets and must abide by all motor vehicle traffic laws. However, underage State certified OHRV operators may ride the trail on City streets if and only if accompanied closely by a properly motor vehicle licensed adult. (Ord. 9-20-2010)

The speed limit for OHRV operators when operating on the designated trail on City streets is 25 mph.

OHRV's must yield to pedestrians at all times. (Ord. 9-20-2010)

OHRV operators, when operating on the designated trail on City streets, shall ride single file in traffic in the paved travel lane (not gravel or paved shoulders).

OHRV operators shall not leave the designated trail within the City except as may be specifically otherwise provided herein. A specific exception shall be that an OHRV operator may leave and return in the shortest possible route to the designated trail at the intersection of East Mason and Hutchins Streets to travel no more than two blocks to the fueling or other service facilities across that intersection, and further that an OHRV operator may leave and return in the shortest possible route to the designated trail at the intersection of Cole and York or Cole and the Dead River Park to travel no more than a block and a half to the fueling and other service facilities at the intersection of Green and Pleasant Streets. (Ord. 9-20-2010)

The Berlin OHRV Connector Trail will be closed when the Bureau of Trails declares that the snow machine trails are no longer useable. The connector trail will re-open on May 23, or a reopen date set by the State Trails Bureau. (Ord. 4-02-2012)

All OHRV's operating on designated trails on City streets must have working head and tail lights.

Complaints regarding OHRV use of these trails shall be received by the Traffic Safety Committee, who may recommend changes to the Council. The Council shall have the power to change the times of such OHRV use by vote without amendment to this ordinance. (Ord. 4-2-2012)

Anything above to the contrary notwithstanding, the City Council may, at any time by City Council motion, open up some or all streets in the City to OHRV use for named special events not to exceed two consecutive days in length; or in the event of temporary OHRV trail obstructions or other matters determined by the Council to require temporary OHRV street use for a length of time determined appropriate by the Council. If and when such City Council approval is given, City street use by OHRV's shall still be subject to all of the requirements listed above for OHRV use of the authorized connector trail. (Ord. 5-21-2012) (Ord. July 16, 2012)

**Secs. 13-113 – 13-120. Reserved**